App. F. IX-4

1935.
(Legis)

File No. 17

Serial Nos. 1

Previous References

Legis 23-34(1-4)

PRESERVED
DESTROYED

Later References

Legis 87-35(1-3)

General and Revenue Secretariat.

Manuscript A. Collection

Serial Nos. One

Proceedings ~~Part B~~ for July 1935

SUBJECT.

Amendment to the Criminal Regulation — Regln No V of 1935

WOP 3418 15-7-35 To the Comp

orders on publication of the R

as Regln No V of 1935

Mamasuamy Iyengar

5-9-35

G. R. S. APP F. III—1] 1935

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No. 17-35

FILE HEADING.

Amendment to Cinematographic Regn.

Regn. V of 1935

FROM

No.	Dated		Received
Diary No.	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

WD 01683—GPB—5,000—3-5-29

FEBRUARY 13, 1935

CONTROL OF FILM POSTERS

Motions for election to the five standing committees were approved of, after which Mr. Hallett, the Home Secretary, introduced a bill to amend the Cinematograph Act of 1916. In stating the objects and reasons for the bill, Mr. Hallett stated that under the provisions of the existing Act all films intended for public exhibition in British India were subject to censorship which was, however, confined to the film itself and did not extend to advertising matter used in connection with the exhibition of the film. That was often more objectionable than the film advertised.

The Indian cinematograph committee had recommended that action should be taken to bring cinematograph posters under control. The desirability of taking action in that matter had become more evident with the lapse of time. The examination of the problem in consultation with local Governments had made it clear that steps should be taken to amend the Cinematograph Act, so as to provide for the censorship of all pictorial representations intended for use as advertising matter in connection with cinematograph films. The bill was intended to provide for an amendment of the Act accordingly.

Sub'd for perusal

Secy
15/2/35

18/2/35

Please put up the

The Bill is at Flag A (Copy of Gazette of 6.2.35

Mr Menon)

1/3/35

Secy
25/2

The Govt of India have introduced a Bill to amend Cinematograph Regulation in order to penalise the exhibition of objectionable film posters & advertisements. We were considering this question. Bill seems to have been passed in Council of State. Shall apply Bill to amend our

put up.

Bill to amend the Cinematograph

File No. 17 of 1935 (2)

Serial No.

To

The Hon. C. Cobcroft (for kindly putting up the volume of the Council of State Debates relating to the consideration of the Bill to amend the Cinematograph Act in Br Russia (received recently)

Bombay 22/3

Copy of Council of State Debates, Vol I – 6 – Thursday the 18th February 1935 — put up as desired. The same may kindly be returned early being bound into a volume.

(Prot. Br. via Cmpln)

22/3/34

Books for perusal. The Bill was passed by the Council of State. It has not yet been passed in the Assembly and has not become Law. It is for consideration whether the passing of the measure into Law in Br Russia may be awaited or a draft Bill put on the lines of the Br

Bombay 25/3

enactment

A draft Bill might be put up

25/3

NOTE—Contn. Sheet.

5544/p34

(3) Bill to amend the Cinematograph Reg^n 1923

File No. 17 of 193 5 — General and Revenue Secretariat

Sub with draft Bill to gether with Statement & memorandum to accompany the Bill

A copy of the Regulations as put up and the amendments are enclosed for reference

OFFICE OF THE FIRST MEMBER 22 APR 1935 No. 7630

A Bill to amend the Cinema Exhibits Act prohibiting the exhibition of indecent film posters has been introduced in the Council of State and passed.

A Bill on the same lines with a Statement of Objects & reasons has been drawn up for Consideration

Chief Secretary)
1st Member)
2nd Member)

17/4/35

Rec'd on 22/4
CHIEF SECRETARY
18 APR 1935

18/4/35

22/4/35

Rec'd 23/4

23/4

24/4

Dewan

Bill to amend Cinematograph

General and Revenue Secretariat.

File No. Legs 17 of 1935

[App. F. II

Sent with D. F. N.

Dem 30/4 noted

D. F. N. submitted

(1st Member)

F. N. signed by Member

C 30/4.

CCG 1/5/35

S. N. put up.

Dewan)

RZ 2/5/35

DM 2/5/35

3-5-35

OFFICE OF THE ... MAY 1935 No. 1913

DEWAN'S OFFICE 3 MAY 1935 No.....

NOTE—Contn. Sheet.

File No. of 193

General and Revenue
Secretariat

Final Note by the First Member of Council.

Subject:—

Bill to amend the Cinematograph Regulation, 1923.

These papers relate to the question of amending the Cinematograph Regulation, 1923.

Under the provisions of the Regulation all films intended for public exhibition in Mysore are subject to censorship. The censorship is however confined to the film itself and does not extend to the manner of advertising the film which is often more objectionable than the film advertised. This exhibition of indecent or otherwise objectionable film posters in public places has come to ~~the~~ notice and the necessity for taking action to bring these posters under control has been urged by the Association for Social welfare. A bill has been drafted amending the existing Regulation so as to provide for the censorship of all pictorial representations intended for use as advertising matter in connection with cinematograph films. The bill is on the lines of an Act recently passed by the British Indian Legislature.

The proposal has been agreed to by the Dewan and the Second Member of Council. Gracious sanction of His Highness is now solicited for placing a statement of the general principles of the bill before the Representative Assembly and the Bill itself in due course before the Legislative Council.

Bangalore,
1st May 1935.

MEMBER OF COUNCIL.

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council* re: Bill to amend the Cinematograph Regulation, 1923,

for His Highness' gracious approval.

Mirza M. Ismail
Dewan.
3-5-35

Record of Cases submitted for the Orders of

His Highness the Maharaja.

Subject.

Bill to amend the Cinematog
Regulation, 1923.

564

Order.

~~KRW~~
8/5/35

5544

7

568

General and Revenue
Secretariat

SUBJECT:- Bill to amend Cinematograph Rej 1923

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*) (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

R. Rangachari

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

FIRST MEMBER OF COUNCIL.

SECOND MEMBER OF COUNCIL.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

8183
13/5

7130
13/5

TYPING SECTION
14. MAY 1935
GENL. & REV. SECTT.

NOTE.—Contn. sheet.

To the typing section for typing 4 copies of the Circular statement

13/5/35

Legis

Cinematograph Rep. Bill Amendment

General and Revenue Secretariat. [App. F. III-2

File No. 17 of 193 5

4 typed copies of the Statement of general principles are put up.

To the R.A. Office for further actn

Dr 15/5/35

Dr

O 963/L.C

3 Copies of the Statement taken & file return to the Protection Branch.

BVN 16-5-35 Prof. Dr. Wm Coombs

Dr

To the typing Section for issue of 5 copies of the bill together with the Statement of objects & reasons for same sent to the Publicity Office & Press for translation & print respectively

Dr 17/5/35

Dr Submitted for orders of Govr of the bills together with a copy of Statement of obj & reasons may be sent to the Press for publication & to the translation Section

Dr 17/5/35

The Bills will be published under Rule 8 of the L.C. Rules & introduced in the ensuing Sess of the L.C.

Dr 21/5 Dr 21/5 (1st Member) (2nd Member) Dr 20/5/35 Dr 17/5/35

TION. MAY 1935 REV. SECTT.

No. 6787

TS

OFFICE OF THE ... 20 MAY 1935 8352

NOTE—Contn. Sheet.

SECOND ... NO 276

the L.C. Office for favour of taking necessary further action to get the Bill published

28/5/35

Have action taken & file put to Prof. B. Bn

28/5/35

Have action taken & file put to Prof. B. Bn (Copies complete)

28/5/35

OFFICE OF THE SECRETARY
23 MAY 1935
REPRESENTATIVE
LEGISLATIVE ASSEMBLY
Copies compared

Sir,

22/5/35

The State ... of General Principles has been sent to A.A. Office and the Bill to be dealt with the Statement of Objects and Reasons has been published under Rule 8 of the Rules of Business of the House of

The following motions are suggested for being included in the Agenda for the next meeting of the Legislative Council:-

Motion that the Bill to amend the Cinematographs Regn. 1923,

5544

Bill to amend the Cinematograph

1935

General and Revenue Secretariat	File No. 17 of 1935.	[App. F. III-

Serial No.

be read in Council
(2) Motion that the Bill b
referred to a Select Committee
Mover: The First Member
Seconder: Chief Secy to Govt
Sinhala

Bme
4/6/35 Chief Secretary /
& Member)

CHIEF SECRETARY
5 JUNE 1935

OFFICE OF THE
FIRST MEMBER OF EXECUTIVE COUNCIL
6 JUNE 1935
No. 8774

G 5/7
fiC
5-

W
7/6

G

To
The L.C. Office Govt Minute note

Noted
7.6.35 noted and petd to Prof E.E. Hill on

10.6.35

This was approved by the K
& Member) G 11/6/35

The motion for referring
Bill to a Select Committee
was modified with the
consent of the House as

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

meeting held on 1.7.35 and
the B Bill was finally passed.
Sent with a D.L.N.

OFFICE OF THE
FIRST MEMBER OF COUNCIL
6 JULY 1935
No. 116

1st Member)
7.N. Signed by Member.

S. N. put up.

DEWAN)

DEWAN'S OFFICE
8 JULY 1935
No. 115

Final Note by the First Member of Council.

Subject:—

Bill further to amend the Cinematograph Regulation, 19

Gracious sanction of His Highness was accorded in May 1 to place before the Representative Assembly a statement of ger principles of a bill to amend the Cinematograph Regulation, 1 so as to provide for the censorship of all pictorial represent tions intended for use as advertising matter in connection wi cinematograph films.

The general principles were adopted by the Assembly in June 1935 and the bill itself was, after previous publication, introduced in the Legislative Council at the meeting held 1st July 1935 and it was, at the same sitting, considered passed.

I now solicit gracious sanction of His Highness to gate the said bill as law.

MEMBER OF COUNCIL.

Bangalore,
6th July 1935.

15

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council* re: Bill further to amend the Cinematograph Regulation, 1923,

for His Highness' gracious approval.

Mirza M. D.

Dewan.
8-7-35.

Submitted & approved by
His Highness.
9-7-35.

C. Secy)

9.)

General and Revenue
Secretariat

SUBJECT:- Re. bill further amend the cinematograph Regulation, 1923.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circuation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders.* (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

246/9/7

FIRST MEMBER OF COUNCIL. 9/7

229/9.7

SECOND MEMBER OF COUNCIL.

9/7

U.S. 9.7

9/7

NOTE.—Contn. sheet.

Regulation No V of 1935 17

General and Revenue Secretariat Sep/P File No. 17 of 193 5 [App. F. III-2

Submit with a draft order for publication of the Reg

See 12/7 Put up before Dr. 4/8/7

11 JUL 1935 REV. SECTT.

C. Order No. P 341 Dt 15.7.35.

The Compiler

Order, the publication of the Regn as Regn No V of

Proof of Regn received from Press is submitted put up duly corrected with printed order thereon

Dom 18/7 Dr 18/7

No P 465 1917/35

Printed copies are placed in the file with an request in

Dom 10/8

10.8.35

NOTE—Contn. Sheet.

Draft.

A Bill to amend the Cinematograph Regulation, XII of 1923.

Preamble. Whereas it is expedient to amend the Cinematograph Regulation, 1923; It is her by enacted as follows:-

Short title. 1. This Regulation may be called t Cinematograph (Amendment) Regulation, 1

Amendment of section 5. 2. In section 5 of the Cinematogra Regulation, 1923 (herein after referred as the said Regulation), sub-section(3) shall be re-numbered as sub-section (4) the following sub-section shall be inse as sub-section (3), namely:--

"(3) A further condition shall be ins ed in every licence that the licensee not exhibit or permit to be exhibited i public any advertising matter consistin or containing any pictorial representat which has not been certified as suitabl publication by an authority constituted under section 7 or distribute or publish, cause to be distributed or published, ar such matter."

Amendment of section 6. 3 In section 6 of the said Regulation.

"(a) sub-section (2) shall be re-numb as sub-section (3) and, in that sub-sect as so re-numbered, after the word "film" both places where it occurs, the words " advertising matter" shall be inserted;

(b) the following sub-section shall inserted as sub-section (2) namely:-

(2) If the owner or person in charge a cinematograph, or the produc

importer of a film, exhibits or permits to be exhibited in public any advertisi matter consisting of or containing any pictorial representation which has not been certified as suitable for publication by an authority constituted under section 7, or distributes or publishes causes to be distributed or published a such matter, he shall be punishable wit fine which may extend to five hundred rupees and in the case of a continuing offence with a further fine which may extend to fifty rupees for each day dur ing which the offence continues, and if the offender is the owner or person in charge of a cinematograph his license (if any) shall be liable to be revoked by the licensing authority".

Amendment of Section 7.

4. In Section 7 of the said Regulation.-

(a) in sub-section (1), for the words, "and certifying films as suitable for public exhibition, and " the following words shall be substituted, namely:- "films and pictorial representations intended for use as advertising matter, and of certifying films as suitable for public exhibition and pictorial representations as suitable for publication, and may";

(b) in sub-section (2)--

(i) after the word "exhibition" the words "or that a pictorial representation is suitable for publication" and shall be inserted; and

(ii) after the word "film" where it occurs for the second time, the words

"or pictorial representation, as the case may be" shall be inserted;

(c) in sub-section (3)--

(i) in clause (a), after the word "exhibition" the words " or that a pictorial representation is not suitable for publication" shall be inserted; and

(ii) In clause (b), after the word "film where it occurs for the first time, the words "or pictorial representation, as the case may be" shall be inserted, and after the word "film" where it occurs for the second and third times, the words "or pictorial representation" shall be inserted;

(d) in sub-section (4), after the word "exhibited" the words "or the production before itself of any certified ~~pixxxx~~ pictorial representation which it has reason to believe is about to be used as advertising matter" shall be inserted and after the word "film", where it occurs for the second, third and fourth times, the words "or pictorial representation" shall be ~~inx~~ inserted;

(e) in sub-section (5), after the word -- "film" in each place where it occurs, the words "or pictorial representation" shall be inserted;

(f) in sub-section (6), after the word "film", in both places where it occurs, the words "or pictorial representation" shall be inserted;

(g) in sub-section (7), after the word "film" in both places where it occurs,

the words "or pictorial representation" shall be inserted; and

(h) in sub-section (8), after the word "film" the words "or the use as advertising matter of a ~~pxi~~ pictorial representation" shall be inserted, and after the words, brackets and figure "in sub-section (2)" the words, brackets and figure "or sub-section (3), as the case may be, " shall be inserted.

5. In clause (b) of subsection (2) of section 8 of the said Regulation, for the words -- "constituted for examining and certifying films as suitable for public exhibition " the words and figure "constituted under section 7" shall be substituted.

A BILL TO AMEND THE CINEMATOGRAPH REGULATION, 1923.

Statement of Objects and Reasons

and

Statement of General Principles

Under the provisions of the Cin tograph Regulation, 1923, all films intended for public exhibition in Myso are subject to censorship. The censors is however confined to the film itself and does not extend to the manner of advertising ~~matter used in connection with the exhibition of~~ the film which is often more objectionable than the film advertised.

This Exhibition of indecent or objectionable film poste in public places has come to the notice the Government and the desirability of taking action to bring these posters ~~used in connection with the exhibition of cinema tograph films~~ under control has been urged upon the attention of Government by Associations for social welfare and ~~With a view to check this growing evil,~~ the Legislature has been requested ~~it is proposed to amend~~ the Regulation so as to provide for the censorship of all pictorial representations intended for use as advertising matter in connection with cinematograph films

The Bill to be amended

The Bill is intended to provide for

Such censorship

~~for the amendment of the Regulation accordingly~~.

A BILL TO AMEND THE CINEMATOGRAPH REGULATION, 1923.

Statement of Objects and Reasons

and

Statement of General Principles.

Under the provisions of the Cinematograph Regulation, 1923, all films intended for public exhibition in Mysore are subject to censorship. The censorship is however confined to the film itself and does not extend to the manner of advertising the fil which is often more objectionable than the film advertised. Thi Exhibition of indecent or otherwise objectionable film in public places has come to the notice of the Governm desirability of takin; action to bring these posters u has been urged upon the attention of Govern.ent by Ass for social welfare and the suggestion has been made th lation should be amended so as to provide for the cens all pictorial represen.tations intended for use as adve matter in connection with cinematograph films. The Bil ed to provide for such censorship.

THE MYSORE REPRESENTATIVE ASSEMBLY.

BUDGET SESSION—JUNE 1935.

STATEMENT OF GOVERNMENT BUSINESS TO BE PLACED BEFORE THE REPRESENTATIVE ASSEMBLY.

I. Statement of General Principles of the Bill further to amend the Negotiable Instruments Regulation, 1917.

The object of the Bill is to amend the Negotiable Instruments Regulation, 1917, so as to provide that cheques originally drawn to bearer shall not lose their bearer character, notwithstanding any endorsement thereon whether in full or in blank and whether such endorsement purports to restrict or exclude further negotiation or not. The necessity for the amendment has risen out of the view taken that under Section 50 of the Negotiable Instruments Regulation, 1917, and the illustration thereto, a bearer bill can legally be changed to an order bill by endorsement. This makes it incumbent on banks to examine all endorsements upon bearer cheques, and this considerably increases their work and responsibility without any compensatory advantage to their constituents or to the general public.

The law in British India has been similarly modified by Act XVII of 1934. It is necessary to amend the Mysore Regulation also since it is very desirable that the law in respect of Negotiable Instruments should be uniform in India.

The Bill is intended to secure the above object.

II. Statement of General Principles of the Bill further to amend the Mysore Limitation Regulation, 1911.

Under Articles 176 and 177 of the First Schedule to the Mysore Limitation Regulation, the time allowed for bringing on record the legal representative of a deceased party in suits and appeals filed under the Code of Civil Procedure is six months from the date of the death of such party. This provision leads to unnecessary delay in the disposal of civil cases. In British India, the period was reduced to 90 days by Act XXVI of 1920, and there is no reason to think that the reduction in the period of limitation has worked to the detriment of the parties. If a similar amendment is made here, one cause of delay in the disposal of cases will be removed. In exceptional cases, a remedy is provided by Order XXII, Rule 9 of the Civil Procedure Code. The High Court have recommended the reduction of the period to 90 days as proposed.

It is accordingly proposed to amend Articles 176 and 177 of the First Schedule to Mysore Limitation Regulation, 1911.

III. Statement of General Principles of the Bill further to amend the Code of Criminal Procedure, 1904.

Under Section 367 of the Code of Criminal Procedure, every judgment has to be written by the presiding officer of the court.

The High Court have recommended that the Code of Criminal Procedure, be amended so as to allow dictation of judgments by Judges not lower in rank than Assistant Sessions Judges and also by Magistrates specially empowered. This will assist the Judges and Magistrates concerned in their work, and enable them to dispose of cases more promptly.

In British India, Section 367 of the Code of Criminal Procedure, was amended in 1923, giving power to all presiding officers to dictate judgments. Power has been taken under the Mysore Civil Procedure Code to empower the presiding officers of Civil Courts to pronounce judgments by dictation. The system has proved to be a convenient arrangement, and is working satisfactorily.

It is proposed to amend Section 367 of our Code, restricting the power only to officers specially empowered in that behalf.

IV. Statement of General Principles of the Bill to further amend the Mysore Forest Regulation, 1900.

While under Section 75 of the Mysore Forest Regulation the sale or attempt to sell sandalwood is prohibited, no penalty is prescribed for breach of the provisions of this Section. Further the Regulation does not define the scope of the term "sandalwood".

2. Instances have come to the notice of Government in which no action could be taken against private persons possessing sandalwood saw-dust for purposes of sale as no penalty is prescribed under Section 75 of the Regulation and sandalwood "saw-dust" is not included in the term "sandalwood". It is therefore considered expedient to amend the said section by providing a penalty for contravention of the provisions of the said section and define the term sandalwood so as to include roots, billets, pieces, sawn or otherwise, chips and saw-dust (whether containing heartwood or not) of sandalwood, but not sandalwood carved or otherwise manufactured.

The Bill is intended to amend the Regulation accordingly.

V. Statement of General Principles of the Bill to amend the Cinematograph Regulation, 1923.

Under the provisions of the Cinematograph Regulation, 1923, all films intended for public exhibition in Mysore are subject to censorship. The censorship is, however, confined to the film itself and does not extend to the manner of advertising the film which is often more objectionable than the film advertised. This exhibition of indecent or otherwise objectionable film posters in public places has come to the notice of the Government and the desirability of taking action to bring these posters under control has been urged upon the attention of Government by Associations for social welfare and the suggestion has been made that the Regulation should be amended so as to provide for the censorship of all pictorial representations intended for use as advertising matter in connection with c graph films. The Bill is intended to provide for such censorship.

VI. Statement of General Principles of the Bill to amend the Mysore Agriculturists' elief Regulation, 1928.

In September 1934, a Committee was appointed by the Government under the Chairmanship of *Rajasabhabhushana* K. R. Srinivasa Iyengar, M.A., to examine how far the extension of the Mysore Agriculturists' Relief Regulation to the whole State has affected the credit of the agriculturists and to submit a report to Government. The Committee examined the question and submitted to Government in February 1935, an exhaustive report together with the draft of a Bill embodying their recommendations.

Government have approved of the recommendations of the Committee with slight modifications as ordered in Government Order No. P. 6404-16—Legis. 12-34-1, dated 23rd May 1935 and this Bill is intended to secure the amendment of the Regulation on those lines.

The general principles of the proposed amendments to the Bill are as follows:—

Under the Regulation, the court is empowered to grant instalments at the time a mortgage decree is passed or in execution proceedings under such decree and also in execution proceedings under a money decree. There is no specific provision

empowering a court to direct payment by instalments when passing a money decree, though it may be said that it may exercise such power vested in it under the Civil Procedure Code, in case of suits under this Regulation also. It is proposed to amend Section 12 so as to include specifically such a power.

2. The existing discretionary power of courts to order interest or not under Sections 11 and 12 of the Regulation, is proposed to be modified so as to make it obligatory to grant some future interest in all cases, the rate of interest being, however, left to be determined by the courts.

3. The Bill provides for the addition of a new provision laying down that in fixing instalments under Sections 11 and 12 of the Regulation the courts should be required to take into consideration the period that the loan has been outstanding and also the repaying capacity of the judgment-debtor.

4. The courts will be empowered to direct that in the event of failure to pay two consecutive instalments, the whole debt should become due and be recoverable.

5. Exemption from attachment and sale in execution of a money decree under Section 14 is proposed to be limited to the agricultural land only of the debtor, and the other immoveables would not be so exempt. Provision is made to direct attachment and sale of the agricultural land also or declare a charge thereon in cases where payment by instalment is ordered and the debtor is unable to furnish security. The sale in pursuance of an attachment or charge will be ordered only when default is made in the payment of two consecutive instalments.

6. Power will be vested in the Government to exempt particular co-operative societies or classes of co-operative societies at their discretion from the operation of the provisions of the Regulation.

PRIVATE BILL.

General Principles of the Mysore Debtors' Bill.

A man who fails to pay a debt due under a decree is liable to be arrested and cast into prison.

It is increasingly felt to be a barbarity and the belief that it is a successful means of drawing out secreted property and preventing fraud is neither well founded nor morally justifiable. Corporal punishment for civil liability is neither desirable nor necessary in the interests of society.

Formerly, even women were thus liable. A law was passed preventing it, and the same is now embodied in Section 56 of the Civil Procedure Code.

Recently, agriculturists who come within the definition of the term in the Mysore Agriculturists' Relief Regulation have been exempted from the liability.

Arrest and imprisonment for non-payment of debt is thus recognised to be undesirable and opposed to our sence of justice and morality. It is the general feeling in many civilised countries. In England, they passed a law called the Debtors Act which has practically abolished arrest and imprisonment for non-payment of debt.

It is learnt that it has been abolished in France, Germany, Scotland, Turkey, South Africa and in many of the States of the U.S.A.

In agreement with this general feeling, the Bill seeks to abolish arrest and imprisonment in execution of a decree for money.

PRIVATE BILL.

1. The Mysore Debtors' (Regulation) Bill.

Whereas it is expedient to provide that no person shall be arrested or imprisoned in execution of a decree for money, it is hereby enacted as follows:—

1. (i) This Regulation shall be called "The Mysore Debtors' Regulation, 193 ."

(ii) It shall extend throughout the State of Mysore.

(iii) It shall come into force from the 1st day of January 193 .

2. Notwithstanding anything contained in any law for the time being, no person shall be arrested or imprisoned in execution of a decree for money passed whether before or after this Regulation comes into force.

Statement of Objects and Reasons.

The present law rendering a judgment-debtor liable to be cast into prison a barbarous. In all civilised countries, it has been either totally abolished is negatived by restrictions. In India the movement for its abolition started as for back as 1881. As a first step, the law exempted women from being arrested and imprisoned for a decree-debt. Since then the question has been considered now and then with the result that the law has been liberalised and the severity relaxed. Poverty and ill-health can be pleaded against imprisonment. Insolvency protection can be had under certain conditions. Nevertheless, the principle of arresting a man for failure to pay a debt is still recognised by the statute. It is a vicious principle, a negation of the dignity of the human body, a denial of the rights of the family and society over the person of the judgment-debtor. The Curgenven Report of 1914 and the Whitley Commission Report of 1931 alike recommended the abolition of imprisonment for debt. In England the Debtors Acts of 1869 and 1878 abolished it except in a few cases which have also become obsolete. It is learnt that imprisonment for debt is abolished in France, Germany, Scotland, many of the States of the U. S. A., Turkey and South Africa. In Mysore, it has been abolished in the case of all women by Section 56 of the Civil Procedure Code and in the case of all such men as are agriculturists, by Section 13 of the Agriculturists' Relief Regulation. It is generally agreed that arrest and imprisonment for debt is undesirable and deserving of abolition. The bill is intended to give effect to it.

BANGALORE,
Dated 1st June 1935.

C. SUBRAHMANYA AIYAR,
Secretary, Representative Assembly.

135

ASSOCIATION FOR MORAL AND SOCIAL HYGIENE, MYSORE

(BANGALORE BRANCH)

Secretary:
MRS. F. L. MARLER

1 MISSION ROAD,
BANGALORE CITY

31. 8. 34

R. Ranga Rao, Esq., B.A., B.L.
The Chief Secretary to Government
Public Offices
Bangalore City

Sir,

At a meeting of the Executive Committee of the State Association for Moral and Social Hygiene in Mysore, held on August 15th, the Secretary was instructed to forward to you the enclosed copy of a letter addressed by the Association to the Cinemetograph Board.

It was also resolved to intimate to Government the Association's appreciation of the fact that some of its members have been asked to ser on the Cinemetograph Board in Bangalore and Mysore City, and to request that orders may be passed that wherever in future Branches of the Association may be formed in places where there are Cinemetograph Boards these latter should always include one or more members of the former.

When so much agitation against Indecent Films is going on in other places it is very desirable hat special efforts be made to raise the standard of films exhibited in the Mysore State, and the Association would be grateful for the opportunity to co-operate with the Government in this important matter.

I have the honor to remain, Sir
Your most obedient servant

F. L. Marler

RR
31/8/34.

TRUE COPY

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ASSOCIATION FOR MORAL AND SOCIAL HYGIENE, MYSORE

(BANGALORE BRANCH)

Secretary:
† MRS. F. L. MARLER

1 MISSION ROAD.
BANGALORE CITY

31. 8. 34.

To the Secretary

Mysore Cinemetograph Board

Office of the Commissioner of Police

Bangalore City

Sir,

At a meeting of the Executive Committee of the State Association for Moral and Social Mygiene in Mysore held on August 25th 1934 the matter of Indecent Films and Posters was discussed, and the Secretary was instructed to write to you requesting your Board to make fuller use of its powers to examine, and, where desirable, reject, Films, even though they may have been passed by the Censor in Bombay.

It is believed that at present Posters are not subject to Censorship, but since these are exhibited on public hoardings for all to see, and since they appear to sometimes depict scenes which have been cut out by the Censor from the films itself, the Association urges that Posters also may be taken into the purview of your Board.

The Association appreciates the fact that some of its members have been asked to serve on your Board, and hopes that at this time, when agitation against indecent films is going on in so many places, special efforts may be made to raise the standard of films and posters exhibited in the Mysore State.

Yours faithfully

Mrs. F. L. Marler

Serial No.

Sm 65 for perusal. The D.C.O has requested to suggest some means which indirect pressure could be brought to bear on the plaintiff

Done 6/9

WD 01955—GPB—22,500—12-6-34

G. R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Leg
File No. 17 –
Serial No. 1

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No. P 341/Leg 1

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Ordered that the accompanying Regulation to amend the Cinematograph Regulation, 1923 which received the assent of His Highness the Maharaja, on the 9th day of July 1935, be published as Regulation No. V of 1935, in the *Mysore Gazette* for general information

Date of issue 15/7/35

Signed by [signature]

[signature], *Secretary to Government.*

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

1397

The Compiler, *Mysore Gazette*, for publication in Part ~~III~~ IV of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....~~spare copies~~ in Kannada ~~to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore~~ as per order. Proofs should be sent to this office for approval before publication.

Copy to Treasury Officers &

REGULATION V OF 1935.

REGULATION TO AMEND THE CINEMATOGRAPH REGULATION XII OF 1923.

Price: 0-0-9

NOTIFICATION.

Order No. P. 341—Legis., dated Bangalore, 15th July 1935.

Ordered that the accompanying Regulation to amend e Cinematograph Regulation, 1923, which received the assent of His Highness the Maharaja, on the 9th day of July 1935, be published as Regulation No. V of 1935, in the *Mysore Gazette* for general information.

By Order,

H. V. RAMASVAMI,

Secretary to Government, General Department.

REGULATION V OF 1935.

(Received the assent of His Highness the Maharaja on the 9th day of July 1935.)

Regulation to amend the Cinematograph Regulation XII of 1923.

Whereas it is expedient to amend the Cinematograph Regulation, 1923; It is hereby enacted as follows :— Preamble.

1. This Regulation may be called the Cinematograph (Amendment) Regulation, 1935. Short title.

2. In section 5 of the Cinematograph Regulation, 1923 (hereinafter referred to as the said Regulation), sub-section (3) shall be re-numbered as sub-section (4) and the following sub-section shall be inserted as sub-section (3), namely :— Amendment of section 5.

" (3) A further condition shall be inserted in every license that the licensee will not exhibit or permit to be exhibited in public any advertising matter consisting of or containing any pictorial representation which has not been certified as suitable for publication by an authority constituted under section 7 or distribute or publish, or cause to be distributed or published, any such matter."

Amendment of section 6.

3. In section 6 of the said Regulation—

(*a*) sub-section (2) shall be re-numbered as sub-section (3) and in that sub-section as so re-numbered, after the word "film" in both places where it occurs, the words "or advertising matter" shall be inserted; and

(*b*) the following sub-section shall be inserted as sub-section (2), namely:—

"(2) If the owner or person in charge of a cinematograph, or the producer or importer of a film, exhibits or permits to be exhibited in public any advertising matter consisting of or containing any pictorial representation which has not been certified as suitable for publication by an authority constituted under section 7 or distributes or publishes or causes to be distributed or published any such matter, he shall be punishable with fine which may extend to five hundred rupees and in the case of a continuing offence with a further fine which may extend to fifty rupees for each day during which the offence continues, and if the offender is the owner or person in charge of a cinematograph his license (if any) shall be liable to be revoked by the licensing authority."

Amendment of section 7.

4. In section 7 of the said Regulation—

(*a*) in sub-section (1), for the words "and certifying films, as suitable for public exhibition, and" the following words shall be substituted, namely:—

"films and pictorial representations intended for use as advertising matter, and of certifying films as suitable for public exhibition and pictorial representations as suitable for publication, and may;"

(*b*) in sub-section (2)—

(i) After the word "exhibition" the words "or that a pictorial representation is suitable for publication" shall be inserted; and

(ii) after the word "film" where it occurs for the second time, the words "or pictorial representation, as the case may be," shall be inserted;

(*c*) in sub-section (3)—

(i) in clause (*a*), after the word "exhibition" the words "or that a pictorial representation is not suitable for publication" shall be inserted; and

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent r

(ii) In clause (*b*), after the word "film" where it occurs for the first time, the words "or pictorial representation, as the case may be" shall be inserted, and after the word "film" where it occurs for the second and third times, the words "or pictorial representation" shall be inserted;

(*d*) in sub-section (4), after the word "exhibited" the words "or the production before itself of any certified pictorial representation which it has reason to believe is about to be used as advertising matter" shall be inserted and after the word "film," where it occurs for the second, third and fourth times, the words "or pictorial representation" shall be inserted;

(*e*) in sub-section (5), after the word "film" in each place where it occurs, the words "or pictorial representation" shall be inserted;

(*f*) in sub-section (6), after the word "film" in both places where it occurs, the words "or pictorial representation" shall be inserted;

(*g*) in sub-section (7), after the word "film" in both places where it occurs, the words "or pictorial representation" shall be inserted; and

(*h*) in sub-section (8) after the word "film" the words "or the use as advertising matter of a pictorial representation" shall be inserted, and after the words, brackets and figure "in sub-section (2)" the words, brackets and figure "or sub-section (3), as the case may be," shall be inserted.

Amendment of section 8.

5. In clause (*b*) of sub-section (2) of section 8 of the said Regulation, for the words "constituted for examining and certifying films as suitable for public exhibition" the words and figure "constituted under section 7" shall be substituted.

MIRZA M. ISMAIL,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. *dated*

SUBJECT.

(1) May this be placed at the disposal of the Pres

(2) May this be translated :-

(3) May this be treated as Standing Order :—

W. D. 407—GPB—1,000—27-8-15